



Fitzpatrick
36798-080204

***ROANOKE CITY COUNCIL
REGULAR SESSION***

***AUGUST 2, 2004
9:00 A.M.***

ROOM 159

AGENDA

Call to Order--Roll Call.

A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**Approved (7-0)
File #110-132**

A communication from the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel regarding pending litigation where such consultation in open session would adversely affect the City's negotiating or litigating posture, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

Items listed on the 2:00 p.m. Council docket requiring discussion/clarification; and additions/deletions to the 2:00 p.m. docket. (15 minutes)

Topics for discussion by the Mayor and Members of Council. (15 minutes)

Briefings:

- Geographic Policing – 15 minutes
- Police Building Phase II – 20 minutes
- Utility Cut Policy – 20 minutes
- Solid Waste Management Plan – 15 minutes
- Volunteer Program – 15 minutes

Council adopted the following charge for the Stadium Study Committee:

The Stadium Study Committee is charged with assessing the athletic facility needs of the City. The Committee shall review the feasibility of renovating Victory Stadium for use as an athletic facility and venue for events that need to accommodate larger crowds. The Committee shall also review other possible athletic facility venues, including an outdoor track and locations as it deems appropriate. The Committee, with assistance of City staff, shall recommend consultants needed to perform its duties. The Committee shall supervise the work of the consultant. The Committee shall report its recommendation(s) regarding the renovation of Victory Stadium and/or other athletic facilities to the City Council within nine months of the Committee's appointment.

File #110-122

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***AUGUST 2, 2004
2:00 P.M.***

***CITY COUNCIL CHAMBER
AGENDA***

1. Call to Order--Roll Call.

The Invocation was delivered by The Reverend Frank W. Feather, Pastor, Forest Park Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Meetings of Roanoke City Council are televised live on RVT Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, August 5, 2004, at 7:00 p.m., and Saturday, August 7, 2004, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

A Resolution memorializing the late Gordon Preston Davidson, Director of Community Services of the Blue Ridge Independent Living Center.

**Adopted Resolution No. 36798-080204. (7-0)
File #367**

Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting.
File #10-80

Presentation by Edward M. Murray, representing Rebuilding Together.
File #80

3. CONSENT AGENDA

Approved (7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Thursday, May 20, 2004, and Monday, June 7, 2004.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, to authorize an encroachment into a public right-of-way located at 16 Campbell Avenue, S. W.

RECOMMENDED ACTION: Concur in the request.
File #169

- C-3 A communication from R. Brian Townsend, Director, Planning, Building and Development, tendering his resignation as a member of the Roanoke Valley Alleghany Regional Commission, effective immediately.

RECOMMENDED ACTION: Accept the resignation and receive and file the communication.
File #110-326

- C-4 A communication from John Renick, Secretary, advising of the resignation of Jesse Dodson as a member of the Roanoke Neighborhood Advocates.

RECOMMENDED ACTION: Accept the resignation and receive and file the communication.

File #110-488

- C-5 Annual report of the Board of Zoning Appeals for fiscal year 2004.

RECOMMENDED ACTION: Received and filed.

File #51

- C-6 A communication from the City Manager with regard to an emergency procurement in connection with replacement of the theatrical and stage dimming system at the Roanoke Civic Center Auditorium.

RECOMMENDED ACTION: Received and filed.

File #192-497

- C-7 Qualification of the following persons:

Mark K. Cathey as a member of the Board of Fire Appeals for a term ending June 30, 2008;

Dennis R. Cronk as a member of the Virginia Western Community College, Board of Directors, to fill the unexpired term of Harriet S. Lewis, resigned, ending June 30, 2006;

Sherman P. Lea as a Council representative to the Roanoke Valley Regional Cable Television Committee;

George M. McMillan as a member of the Court Community Corrections Program Regional Community Criminal Justice Board for a term ending June 30, 2007;

Michael W. Hanks and Anthony Wallace for terms ending June 30, 2006; and Donna S. Johnson for a term ending June 30, 2008, as members of the City of Roanoke Pension Plan, Board of Trustees; and

Mark C. McConnel as a member of the Roanoke Arts Commission for a term ending June 30, 2007.

**RECOMMENDED ACTION: Received and filed.
Approved (7-0)
File #15-70-110-230-242-304-429-448**

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS: NONE.

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

ITEMS RECOMMENDED FOR ACTION:

1. Acquisition of certain property rights in connection with the Downtown West Parking Garages Project.

**Adopted Ordinance No. 36799-080204. (7-0)
File #553**

2. Execution of a Fiscal Year 2005 Community Services Performance Contract with Blue Ridge Behavioral Healthcare Board of Directors.

**Adopted Resolution No. 36800-080204. (7-0)
File #22-335**

3. Acceptance of a Criminal Justice Records System Improvements Continuation Grant from the Virginia Department of Criminal Justice Services.

**Adopted Budget Ordinance No. 36801-080204 and Resolution No. 36802-080204. (7-0)
File #60-236**

4. Appropriation and transfer of funds in connection with the Comprehensive Services Act.

**Adopted Budget Ordinance No. 36803-080204. (7-0)
File #60-72**

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Cutler commended Melinda Mayo, Communications Coordinator, author of an article in the *Virginia Town and City Magazine* entitled, "Roanoke Continues Tradition of Forging New Paths," which describes the City's progress that led to Roanoke's being selected as one of America's "most livable communities" by Partners for Livable Communities.

File #80-184

Council Member Lea recognized former Council Member W. Alvin Hudson, Jr., who was recently appointed by the Governor to serve on the State Board of Corrections.
File #80-132

Council Member Lea expressed appreciation to the Mayor, Council Member Wishneff and the City Manager for their attendance at the press conference for the annual kick-off of the Western Virginia Education Classic on Saturday, July 31, 2004, in Elmwood Park. He also expressed appreciation to Council Member Dowe, Director, and members of the Shiloh Baptist Church Choir, who will present a gospel concert in conjunction with the event.
File #80-132-388

Council Member McDaniel commended staff of the Housing and Neighborhood Services department for the new Welcome Roanoke Program which began on July 1 and is designed to contact new homeowners in the City with a personalized greeting from City officials, information on local activities and how to access City services, etc. She advised that approximately 117 new homeowners have received the welcome package and welcome packages will be sent to the top 20 apartment owners in the area in an effort to reach renters.
File #80-132-195

Council Member Wishneff requested an update in regard to passenger rail service in the Roanoke area; whereupon, the City Manager advised that Dr. Robert Martinez, Senior Vice-President, Finance, Norfolk Southern, has agreed to serve as guest speaker at the Regional Leadership Summit which will be held on September 24 at 12:00 noon in Bedford. Dr. Martinez will provide an update on the intermodal transportation issue.
File #132-533

Council Member Wishneff referred to an article written by Dan Kasey in a recent edition of *The Roanoke Times* in which he noted that if certain actions are taken by the City, the City of Roanoke could have a national quality dirt bike track; whereupon, he requested a response by the City Manager.

File #132-227-442

Council Member Wishneff expressed concern with regard to the City's application of the Family Leave Act and requested a briefing at a future Council work session.

File #132-184

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

The Reverend John Kepley, 2909 Morrison Street, S. E., spoke in regard to saving/renovating Victory Stadium. He advised that the 7,000 people who signed a previous petition expect Council to do the good and reasonable thing which is to renovate Victory Stadium.

File #122

Ms. Alice Hincker, 4024 South Lake Drive, S. W., spoke in regard to the proposed geographic policing program which was presented to Council at its 9:00 a.m. work session. She expressed concern in regard to the lack of community involvement in biweekly planning discussions that have been held since January, 2004, and advised that organizations concerned about the delivery of service to the City's schools have requested that the School Resource Officer Program remain

intact and designated as a specialized unit, as opposed to dividing the program between each of the zones that contain a school, however, no response has been received to the request.
File #5-467

Mr. Chris Craft, 1501 East Gate Avenue, N. E., advised that Officer Butch Lewis should be reassigned to Patrick Henry High School as a School Resource Officer. He stated that Victory Stadium should be renovated because of its historic value to the citizens of Roanoke and because renovation is favored by a majority of Roanoke's citizens.
File #122-467

Ms. Estelle McCadden, 2128 Mercer Avenue, N. W., spoke in support of the renovation of Victory Stadium and asked that Council give the Stadium Study Committee the latitude to complete its charge without involvement by Council.
File #122

Mr. Winfred Noell, 2743 Northview Drive, S. W., spoke in support of the utility cut proposal that was presented to Council at its 9:00 a.m. work session; however, he stated that the one quarter inch tolerance provision is unrealistic and the problem rests in follow up by the City to inspect utility cuts after the pavement has settled. He advised that the topics that were initially on the table regarding the stadium issue are Orange Avenue or Victory Stadium and not high school tracks, high school facilities, athletic needs, and entertainment, etc. He added that the Stadium Study Committee should study only Victory Stadium versus Orange Avenue because all other topics have been studied and the citizens of Roanoke have let their voices be heard.
File #122-268-467

Mr. Bob Caudle, 4231 Belford Street, S. W., offered his service as a member of the Stadium Study Committee.

File #66-79-122

Mr. Robert Gravely, 729 Loudon Avenue, N. W., spoke with regard to the renovation of Victory Stadium, the manner in which taxpayers' money is spent, and the need to pay adequate wages to citizens in order to stimulate Roanoke's economy.

File #66-79-122

Council Member Wishneff requested that the City Manager and the Chief of Police meet with the Acting Superintendent of Schools, school principals and key Parent-Teacher Associations to discuss the geographic policing program; whereupon, the City Manager advised that a summit is scheduled to be held within the next two weeks with representatives of the Police Department and the School administration at which time the program will be detailed to all key administrative officials and Council will be provided with follow up information as a result of the summit.

File #5-467

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS: NONE.

CERTIFICATION OF CLOSED SESSION. (7-0)

The following persons were appointed/reappointed to certain boards and committees:

**Flood Plain Committee
File #110-237**

**Kathy Hill for a term ending
June 30, 2005.**

**Parks and Recreation Advisory
Board
File #67-110**

**Christene A. Montgomery to
fill the unexpired term of
S. James Sikkema, resigned,
ending March 31, 2005; and
Sharon L. Stinnett to fill the
unexpired term of Onzlee
Ware, resigned, ending March
31, 2005.**

**Roanoke Valley-Alleghany
Regional Commission
File #110-326**

**C. Nelson Harris to fill the
unexpired term of Ralph K.
Smith, ending June 30, 2006.**

**Stadium Study Committee
File #110-122**

**George C. Miller
Charles A. Price
Gwendolyn W. Mason
Gregory W. Feldmann
L. Thompson Hanes
Chad Van Hying
Marsha Combs
David B. Trinkle
Kermit E. Hale
Sherley E. Stuart
Jan P. Wilkins
John H. Parrott**

**(Two additional members will be announced at the next regular
meeting of Council on Monday, August 16, 2004.)**